

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY, NEWARK DIVISION

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LAZARAO CINTRON, individually and on behalf  
of all other similarly situated

Case No.: 17-cv-11538-JMV-CLW

Plaintiff,

vs.

MONTEREY FINANCIAL SERVICES, INC.  
d/b/a MONTEREY COLLECTIONS

Defendant.

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**DEFENDANT MONTEREY FINANCIAL SERVICES, INC. D/B/A MONTEREY  
COLLECTIONS' NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that Monterey Financial Services, Inc. ("MFS"), by and through its undersigned counsel, will move before the Honorable John Michael Vazquez, United States District Court Judge, on March 4, 2019 at Courtroom PO 03 of the Martin Luther King Building, United States Courthouse, 50 Walnut Street, Newark, New Jersey 07101, requesting an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, granting MFS's motion and dismissing Plaintiff Lazaro Cintron's Complaint in its entirety.

In support hereof, MFS submits a brief, the documents submitted in supports of MFS's initial Motion to Dismiss dated January 16, 2018, and on all of the pleadings and proceedings in this action as prescribed under the local rules. Pursuant to Local Rule 78.1(b), oral argument is requested.

WHEREFORE, for the reasons stated in the brief and other supporting documents, MFS respectfully requests an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure

dismissing all counts of the Complaint along with all other relief this Honorable Court deems just and proper.

Dated: February 7, 2019

Respectfully submitted,

/s Sean M. O'Brien

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